

DEPARTMENT OF THE ARMY PAMPHLET

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**HANDBOOK FOR NEXT OF KIN OF
ARMY PRISONERS OF WAR /
MISSING PERSONNEL**

HEADQUARTERS, DEPARTMENT OF THE ARMY

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DEPARTMENT OF THE ARMY
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HANDBOOK FOR NEXT OF KIN OF ARMY PRISONERS OF WAR/MISSING PERSONNEL

This pamphlet is designed to provide important information in limited detail to the next of kin of missing and captured members in order to promote a better understanding of Department of the Army policies and procedures. The proponent agency for this pamphlet is The Adjutant General's Office, ATTN: DAAG-PSC-S, Department of the Army, Washington DC 20314.

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Section I. GENERAL INFORMATION

1. Introduction. *a.* As a family member of a missing or captured Army serviceman, you are now going through a most trying and difficult time. Initial shock is followed by anxiety, a feeling of helplessness, and an overwhelming desire to "do something." Your frustrations will mount as the first few days or weeks pass and there is no detailed information about your loved one. We in the Army share your concern and you may be assured that when the facts surrounding the incident reach the Department of the Army Casualty Division in Washington, DC, those facts will be given to you without delay. You must understand, however, that a complete and detailed report will not be available for approximately 60 days.

b. The purpose of this pamphlet is to answer as many as possible of the general questions you may have. We urge you to read it carefully and review it often.

2. Abbreviations. You will encounter many of the abbreviations listed below in both this pamphlet and in your dealings with your Family Services and Assistance Officer. We suggest that you become familiar with them.

ACS—Army Community Service

AER—Army Emergency Relief

CG—Commanding General

CHAMPUS—Civilian Health and Medical Program of the Uniformed Services

DA—Department of the Army

DIC—Dependency and Indemnity Compensation

DOD—Department of Defense

FSAO—Family Services and Assistance Officer

ICRC—International Committee of the Red Cross

JAG—Judge Advocate General. Army staff element responsible for legal matters.

NLF—National Liberation Front (Viet Cong)

PFOD—Presumptive Finding of Death

PNOK—Primary Next of Kin

PRG—Provisional Revolutionary Government (Viet Cong)

PW/POW—Prisoner of War

SGLI—Servicemen's Group Life Insurance

SNOK—Secondary Next of Kin. Normally, a married service member's parents.

USSDP—Uniformed Service Savings Deposit Program

3. Definition of Next of Kin. This is a term which can be confusing unless fully understood. The distinction between the types of next of kin is necessary to determine certain entitlements.

a. Primary next of kin. This is the person most closely related to the member, usually a dependent. The following order of precedence is used in determining who is the primary next of kin: spouse, children, parents, brothers, sisters, grandparents.

b. Secondary next of kin. Normally a married service member's parents.

4. Your Family Services and Assistance Officer (FSAO). *a.* A Family Services and Assistance Officer has been appointed to assist you. He is the personal representative of the Secretary of the Army, and although his assignment as an SAO is in addition to his regular duties, he stands ready to be of service to you.

b. Your FSAO will be your primary source of information concerning the status of the missing or captured service member. He will explain Army procedures and policies and medical and legal benefits; and while he is not an expert in all areas, the resources of the service are available to him in obtaining answers to your questions. He will maintain continuous contact with you, and you can expect to hear from him at least once a month after your loved one's status has been determined. It is to be expected that during the first two or three months he will maintain frequent contact with you and report additional information as it becomes available.

c. During the FSAO's visit, you will be asked for photographs of the service member to be placed in a dossier maintained at the Department of the Army. The photographs are used by our intelligence agencies to assist in identifying persons who may be captured. Whenever enemy soldiers are captured by our forces, they are questioned for any information they may have about American PW's. When they indicate that they have seen Americans in PW camps or elsewhere in enemy hands, they are requested to look at photographs for possible identification. Also, when Americans or friendly Vietnamese troops escape from enemy forces or are released, they are also interrogated and shown photographs for identification purposes.

5. Return of personal belongings. The personal belongings of missing and captured members will be returned to the primary next of kin as quickly as possible. Delivery can be expected within

70 to 90 days. In the event they are damaged in shipment, you are entitled to reimbursement. Contact your FSAO and he will assist you in preparing the necessary claim forms to be filed.

Section II. DETERMINATION OF STATUS

6. Letter from unit commander. Our past experience with families of missing and captured members suggests that the first 60 days are understandably the most anxious and frustrating. There is little you can do during this period except wait. Your FSAO will be in repeated contact with you and will report any additional information as it becomes available. Usually, however, the earliest substantive information is sent to you by the commanding officer of the member's unit who will give all available circumstances surrounding the incident. This letter can be expected within 30 days. While the letter will answer many of your immediate questions, it will not resolve the important matter of your loved one's status.

7. Board of Inquiry. *a.* In all cases, a Board of Officers is appointed within 10 days to investigate the facts and make recommendations to Department of the Army with respect to the status of the member. Because of the impact of the board's finding, this is an exacting and deliberate process. Your FSAO will explain in detail the functions of the Board of Inquiry.

b. The Board is composed of experienced officers who are personally familiar with the type terrain, mission, and weather conditions which existed at the time the member became missing. The Board obtains formal statements from witnesses, investigates all circumstances, and coordinates with the units making the search efforts. The officers will examine all reports and arrive at recommendations which are substantiated by the facts. These recommendations are forwarded to the major command where they are again scrutinized and evaluated. Within 60 days the board proceedings are sent to the Casualty Division of The Adjutant General's Office, in Washington, DC where they are finally reviewed by another Board of Officers.

8. Categories. After this extensive process of investigation and review, a determination is made concerning the member's status. There are essentially three categories a person may be placed in under the Missing Persons Act: missing/missing in action, captured, or deceased. A finding of death is made only when reasonable evidence has been accumulated to substantiate the

determination (see paragraphs 29 and 30 for a discussion of presumptive findings of death). The same rule holds true for determining that a member has been captured: reliable witness statements or intelligence reports must establish that the member was in fact captured. In the absence of conclusive evidence, the individual is listed in one of the two missing categories. The term "missing" is used for those who become missing as a result of an incident not directly involving enemy action. The term "missing in action" (MIA) is used for those who become missing as a result of hostile action. An MIA Category is an administrative determination and has no advantage over a missing category. Each category receives the same extensive process of investigation and review. All entitlements and other benefits are the same.

9. Letter of Circumstances. *a.* Your FSAO will notify you immediately after the determination has been made of your loved one's status.

(1) If the evidence is insufficient to make a change in status and the member is continued as missing, a detailed letter is sent from The Adjutant General to you in care of your FSAO. He will personally bring this letter to you and discuss the situation in detail. The letter will relate the Board of Officers' findings and will review the entire circumstances of the member's disappearance. The letter will also explain that a missing status may be reviewed whenever additional information is uncovered; or, in the event none is uncovered, it will be mandatorily reviewed after 1 year.

(2) If there is sufficient evidence available upon which to base a logical conclusion that the member has been captured, his status will be changed and again the facts pertinent to this decision will be given to you.

(3) In other cases, the evidence may overwhelmingly support a conclusion that the member is no longer alive; in those cases, a presumptive finding of death (PFOD) will be issued, and all his accounts settled.

b. Within this same 60 day time period, you may receive letters from the serviceman's friends or from other acquaintances in his unit. Experience has shown that, unintentionally, these sometimes contain conflicting nonfactual information. The information is undoubtedly meant to be helpful; but, when checked out, it is found to be based on incomplete knowledge of the facts or on personal assumptions not supported by facts. Keep in mind

that the Army passes on to the next of kin all unclassified factual information.

c. You should be alert to contacts by persons indicating that they can influence or obtain the release of captured American servicemen. Some of these people may have good intentions, but others may have questionable motives. In the event that you are so contacted, it is recommended that you consult your FSAO.

10. Promotions. Army members while in a missing or captured status may be considered for promotion along with their contemporaries in accordance with applicable personnel policies. You will be notified of any promotions, and appropriate adjustments will be made in the pay accounts. (See section III, Finances.)

11. Official Report of Casualty (DD Form 1300). If a determination is made that the member should be continued in a missing status, an official Report of Casualty, DD Form 1300, is prepared in Department of the Army and sent to the next of kin. The report is an extremely important document as it provides legal proof as to the member's status. You will have occasion to use it often in your dealings with military agencies, the Veteran's Administration, Social Security offices, and life insurance companies. It is recommended that a copy of the DD Form 1300 be inclosed with all correspondence to Headquarters, Department of the Army, or to any military installation (additional copies are provided for this purpose) on matters pertaining to assistance in space available travel, movement of household goods, and other entitlements. This will permit the Army staff to respond to individual requests for assistance in a more efficient manner.

12. The Adjutant General's Monthly Newsletter. Each month The Adjutant General writes a newsletter to the families of missing and captured Army service members. These letters contain information regarding missing and captured activities, both specific and general, which is of particular interest to the recipients. Matters concerning special benefits legislated by Congress, information regarding the status and welfare of a released serviceman, mailing guidelines, medical care for dependents, post privileges, and any other items of this nature which are of concern to the families of missing and captured personnel are also included. It is intended that these monthly letters offer support to the next of kin and maintain a continuing communica-

tion between anxious relatives and Department of the Army during a difficult period.

Section III. FINANCES

13. Missing Persons Act. The Missing Persons Act provides for Department of the Army to administer the pay and allowances of Army members who are in a missing or captured status and thus unable to act for themselves. The primary factors considered by Department of the Army in discharging this responsibility are the expressed and implied intentions of the service member and the provision to his dependents of the means to meet normal family expenses. Inquiries concerning the pay allowances account of a member in a missing or captured status should be directed to the Commanding General, Finance Center, US Army, ATTN: Special Actions Branch, Indianapolis, Indiana 46269.

14. Pay and Allowances. *a.* All pay and allowances will continue to accumulate to the service member's account and be distributed in the normal manner while he is in a missing or captured status. Initial notification in regard to pay status is usually made by the Finance Center in approximately 30 days. If there should be a financial problem before this notification is received, however, ask your FSAO to contact the Special Actions Branch, Claims Division, at the Finance Center for assistance.

b. The Commanding General of the Finance Center has the authority, however, to initiate, continue, modify or discontinue allotments for dependents and families of missing and captured members when circumstances so warrant and to preserve the interest of the missing member, his dependents, or the Government. In such cases, dependents and/or primary next of kin are requested to present evidence that their financial situation dictates such action. The FSAO will assist where possible.

15. Uniformed Services Savings Deposit Program (USSDP). The USSDP is an excellent savings program which is available to all members serving on a permanent duty assignment outside the United States or its possessions. If the member had not elected to make deposits to the program, the Finance Center, upon request and in the interest of the member or his dependents, can initiate an allotment for this purpose. Interest at the rate of 10 percent per annum compounded quarterly will accrue on amounts deposited. For missing or captured members, there is

no limit on the amount that may be deposited at this interest rate. Withdrawals may be requested by dependents in an emergency situation.

16. Federal Income Tax. *a.* This paragraph covers some of the more general guidelines concerning tax matters which have been established, and hopefully will answer many of the questions about the Federal income tax status of servicemen who are listed as captured or missing in a combat zone. It does not apply to members who become missing in other areas of the world not so designated. These comments must be general in nature since it is not possible to address tax problems as they apply to each individual tax situation. The comments refer primarily to the wife since most tax problems arise from questions concerning joint or separate returns and when to file. If you have tax problems that are complicated or involved, it is suggested that you and/or your FSAO discuss the matter with the nearest Internal Revenue Service Office or Military Legal Assistance Officer.

b. As you may know, \$500 per month of commissioned officer's pay and all pay of a warrant officer and enlisted man is exempt from federal income tax for the period served in a combat zone. This includes any period in which they are in a missing/captured status in that area. Such exempted pay and nontaxable allowances will not appear on Wage and Tax Statements, IRS Form W-2, and should not be reported on any federal income tax return that may be submitted.

c. The period while a member serves in a combat zone and the next 180 days thereafter may be disregarded in determining the required filing data for any federal income, estate, or gift tax return. This includes the filing of a joint return by the spouse should she desire to file. Thus, taxes on income which a wife may individually or jointly earn while her husband is missing or captured may also be postponed. However, 180 days after the member ceases to be in a missing/captured status, a joint return for both incomes must be filed unless the wife elected to file a separate return of her income at the regular filing date. There is no interest due on such postponed taxes.

d. A wife may elect to file a separate or joint return each year. Unless a refund is due, this is generally not to the financial benefit of the parties concerned. A refund would not normally be due the service member since pay in a combat zone is not subject to regular income tax withholding.

e. The above information does not pertain to state income tax or other community tax liabilities. With respect to these taxes, we suggest you contact the tax official of the member's state of legal residence.

17. Social Security Benefits. When you receive your copies of DD Form 1300, Report of Casualty, provided by the Army, file one copy with the local Social Security Office. A copy of the form is also sent directly to Social Security Headquarters by the Department of the Army. While determination of entitlement to benefits is deferred until the member's status is determined, filing a DD Form 1300 will protect any benefit rights you may have until you file a formal application.

18. Life Insurance. *a. Servicemen's Group Life Insurance (SGLI).* A missing/captured member remains insured under the Servicemen's Group Life Insurance policy, and any beneficiary designation made by him remains in effect. Deductions from his pay for insurance purposes will continue to be made as long as he remains in this status. If, at a later date, it is determined that the member is no longer alive, the final determination of his insurance status will be made by the Veterans Administration. The Director, Insurance Service, Veterans Administration, Department of Veterans Benefits, Washington, DC 20420, is charged with this responsibility.

b. Commercial Life Insurance. If premiums are paid on commercial life insurance policies by means of the allotment system, these payments will be continued during the member's PW/missing status. If premiums to insurance companies were being paid either by personal check or by a bank allotment, you are advised to continue premium payments during the PW/missing status.

Section IV. OTHER ENTITLEMENTS

19. Entitlements of Dependents. Dependents of missing and captured members are entitled to the same support and privileges as they were before their members entered a missing status. Should there not be an Army installation nearby, Navy, Air Force, or Marine Corps facilities may be used. Following are some of the more important entitlements:

a. Chaplain Counsel and Religious Services. Families of a missing or captured member who wish to consult a military chaplain or receive religious ministrations should ask the FSAO

to establish contact with a chaplain at the nearest military installation.

b. CHAMPUS (Civilian Health and Medical Program of the Uniformed Services). Dependent wives and children are authorized care under this program. You can obtain more detailed information about CHAMPUS through your FSAO.

c. Legal assistance. Legal assistance is available to dependent next of kin through the Staff Judge Advocate's office at local Army installations. This assistance consists of such services as estate planning, income tax guidance, powers of attorney, wills, property damage/loss claims, matters involving the Soldier's and Sailor's Relief Act, and naturalization and citizenship. Your FSAO can arrange an appointment.

d. Educational Assistance Loans. Loans can be made to children of missing and captured members for education or training beyond high school under the provisions of the Federally Insured Student Loan Program (FISLP). Children must have graduated from high school in the summer of 1970 or later, and must be enrolled or accepted for enrollment in a college or school approved as an eligible institution by the US Commissioner of Education. If the student's adjusted family income is less than \$15,000, the federal government will pay the interest on the student's loan while he is in school and for one year afterward. During the repayment period, the student pays the 7 percent interest. Application forms and additional information may be obtained by writing to The Adjutant General, (ATTN: DAAG-EMG-D), Department of the Army, Washington, DC 20314, with a copy of the DD Form 1300 (Report of Casualty).

e. GI Bill benefits. If a member has been in a missing/captured status for 90 days or more, his wife is eligible for a home loan guarantee and educational benefits under the GI Bill. Dependent children are also eligible for educational benefits.

f. Army Community Services (ACS). The Army Community Services office located on Army installations offers counseling on: availability of housing; medical and dental care; relocation of household goods; legal and financial matters; and other complex personal matters. It was established to provide members and their dependents with many social services which would be available to them as civilian members of a community. Army Community Services has an excellent reputation, and most installations have vigorous, effective programs. We recommend that you ask your FSAO about the Army Community Services program in

your area since the extent of the program will vary among military installations and is dependent upon local resources and the needs of the military families residing in the area.

g. Movement of household goods. Dependent next of kin are entitled to one move to relocate household goods, personal effects, and one privately owned vehicle at government expense, provided the member has been missing 30 days or more. (Under present law, movement of a house trailer is not permitted nor is payment of trailer allowances. Department of Defense has requested Congress to change this provision of law.) Packing, unpacking, and storage is included in this authority. Temporary storage of household goods is authorized for maximum period of 90 days in connection with the shipment. Household goods already in storage may remain so indefinitely until the member's status is determined. This relocation privilege is a particularly valuable benefit in that it provides a special and often needed opportunity for the wife to move to an area in which relatives or close friends are located. Your FSAO can schedule an appointment for you with the nearest post transportation officer.

h. Dependent travel by military aircraft. Travel on a space-available basis by a military aircraft within the Continental United States for humanitarian reasons has been approved for wives, children, and dependent parents of missing and captured members. Additionally, foreign-born wives and their dependent children may travel on a space-available basis to and from overseas locations for humanitarian reasons. The travel is free but may be inconvenient for the following reasons:

(1) You may have to travel on aircraft normally used for transporting troops or cargo.

(2) There are few regularly scheduled flights, so it will not be possible for you to depend upon a particular flight.

(3) The destination of the aircraft may be changed with little or no warning.

(4) Many military bases have limited or no facilities for families to remain overnight while awaiting flights and may not be able to provide transportation to commercial facilities.

(5) There are no guarantees for a return flight.

(6) Although wives and children have the same priority as military personnel for space-available travel, military members traveling on official business receive priority over all others. Each trip must be authorized. To receive authorization, send a letter to Chief, Casualty Division, Office of The Adjutant General,

ATTN: DAAG-PSC-S, Department of the Army, Washington, DC 20314. A DD Form 1300 will not be needed, but you should include in the letter the approximate time frame in which you desire to travel, your intended destination, and the general purpose of the trip. Also, furnish names, sex, and ages of all children who will travel with you. When you have received your approval to travel, establish contact with the officer-in-charge of the passenger terminal or base operations section of the nearest military air base and make arrangements for your travel. When you arrive at the air base, show your DD Form 1173 (Dependent ID Card) and present your letter of approval with the copy of the official Report of Casualty (DD Form 1300) that DA inclosed with your letter.

i. Uniformed Services Identification and Privilege Card (ID CARD). The ID Card indicates the privileges to which the holder is entitled and normally allows medical and social services in military health care facilities, commissary privileges, Post Exchange privileges, and admission to theaters.

20. Entitlements of nondependents. Nondependent next of kin of missing and captured members are not authorized the benefits enumerated above. However, installation commanders may grant access to certain post facilities if local conditions permit. These privileges will vary among installations as well as among the different military services. Usually, nondependent next of kin may use the officers or enlisted clubs (known officially as "open mess"), guest houses, Army Community Services, and similar facilities.

Section V. MISCELLANEOUS INFORMATION

21. Addresses for Correspondence. Addresses for PW's to which NOK can send letters will be furnished, if at all possible. Current specific addresses are listed in the appendix.

22. Release of Names of Next of Kin. The Army makes every effort to protect the privacy of the next of kin. Under present policy, the names and addresses of the next of kin are not released except for official use. You will be furnished a form on which you may indicate whether you wish the Army to continue its present policy in your case, or whether you wish your name and address released to other next of kin and Members of Congress if they request it.

23. PW/MIA Organizations for Next of Kin. There are various organizations formed by next of kin of missing and captured servicemen. Although the Army is keenly interested in activities which can ameliorate the PW/MIA situation, it does not sponsor any of these organizations. Further, the Army recognizes that next of kin have a right to organize and act as they wish.

24. Television and film releases. *a.* Films of PW's are shown periodically on television. The films are obtained by the networks from private sources and are normally aired on the major news programs. The Military Services have asked the networks to give advance notice when these films will be shown so that the next of kin can be advised.

b. The Army has also asked the networks to release copies of PW films so that they can be forwarded to the appropriate Army areas for viewing by next of kin. Generally, the networks will not release copies until after the films have been broadcast; and copies then released have restrictive clauses to protect copyrights. This may limit their use; however, we will continue to pursue all possible avenues in order to obtain and show such films.

25. Foreign Radio Broadcasts. Enemy-originated radio broadcasts, which are intended to serve a propaganda purpose, are monitored by the US government. Sometimes these broadcasts contain information which can be reasonably linked to a specific missing or captured member. In these instances, a tape recording of the broadcast is made available to his family. It must be recognized, however, that these broadcasts may be too general, or garbled, to permit valid conclusions to be drawn. A few broadcasts have been made by Army PWs with personal messages for their families. Tape recordings of these messages, when received by the Department of the Army, are made available to the families concerned.

26. The Geneva Conventions. *a.* The Geneva Conventions of 12 August 1949 deal with the treatment of persons captured or detained in armed conflicts and set forth in detail the rights and protections which should be accorded to captured personnel.

b. The United States, Republic of Vietnam, and other allied powers in Southeast Asia have ratified these treaties. Although the actual administrative control of enemy prisoner of war facilities in South Vietnam is the responsibility of the government of South Vietnam, the United States has worked to insure that the

principles, spirit, and intent of the Geneva Conventions are followed. At each of the South Vietnamese PW camps, US military police advisors assist the Vietnamese commanders and oversee the moral and legal responsibilities of the United States for those whom our forces have captured. Inspections are also conducted by delegates of the International Committee of the Red Cross (ICRC).

c. The enemy in Southeast Asia has refused to implement the Geneva Conventions in either spirit, word, or deed, even though North Vietnam acceded to these treaties in 1957.

d. Although the enemy has claimed that war prisoners are being humanely treated, there has been no impartial inspection to support this claim and available evidence to date shows that such is not the case.

e. U.S. Government officials continue to identify and stress those areas in which the North Vietnamese and other hostile factions in Southeast Asia have not followed the principles of the Geneva Conventions. The primary areas are—

(1) The refusal to repatriate sick and wounded prisoners of war.

(2) The failure to provide an official list of all prisoners of war or an accounting of our missing personnel.

(3) The refusal to permit impartial inspection of prisoner of war camps by an international humanitarian organization or agency.

(4) The unwillingness to allow a free exchange of mail as provided for in the Geneva Conventions.

(5) The noncompliance, in general, with the remaining provisions of the Geneva Conventions concerning humane and proper treatment of prisoners of war.

27. Government Agencies involved in PW/Missing Persons matters. The agencies and committees of government listed below are directly concerned with PW/Missing Persons matters and are continually and actively working to protect the interests of both the individuals who are captured or missing and their families. The problems facing these organizations are not easily solved. Much of what they do must remain classified; however, you will be provided with as much pertinent information as is possible when it becomes available.

a. *Department of State.* The Department maintains close liaison on the matter of Prisoner of War/Missing Persons with the White House, the Defense Department, the military services,

and the ICRC. Additionally, the Department has operational control over the Paris Peace negotiations.

b. Department of Defense. The Department of Defense PW Policy Committee devotes itself to all matters pertaining to missing or captured personnel. The Committee seeks to insure that all conceivable channels are being explored to protect the welfare of US prisoners of war, including all their rights under the Geneva Conventions, and to obtain their ultimate repatriation. All major policy decisions relative to PW/Missing Persons matters are made at DOD.

c. Department of the Army. Under the Secretary of the Army, the Chief of Staff of the Army is responsible for matters within the Army concerning PW/Missing Persons. He is directly assisted by The Adjutant General, with other Army elements assuming responsibilities in their areas of interest.

Section VI. FUTURE ACTIONS

28. General Plans. *a.* The Army cannot forecast where or when American prisoners of war will be released; however, you can be assured that you will be notified of any information concerning release as soon as it becomes available. Upon release of a large number of US PW, repatriates will probably be processed at a central location in the general vicinity of their release. Processing will proceed with full consideration of the hardships experienced during captivity. The welfare and morale of the returned member shall be of prime consideration.

b. Returned members will be placed under medical care immediately. Unless medical considerations dictate otherwise, it can be expected that initial processing at the central location will require between 36 and 72 hours. However, medical determination might require a considerably longer period of time.

29. Annual Review. *a.* As discussed previously in Section II, the file on each missing member is carefully reviewed by a Board of Officers in DA after the member has been carried in a missing status for 12 months. This review is required by law and consists of an exhaustive evaluation of all available information. The person is continued in a missing status if there is no basis in fact to change his status to that of prisoner of war or dead. On the other hand, should the evidence give reasonable grounds to the belief that he can no longer be alive, a presumptive finding of death (PFOD) is made, to be effective one year and one day after the date the member became missing. Please be assured

that such a determination is made only after a thorough and exhaustive review. The following are considered during this critical review:

- (1) The proceedings of the original Board of Inquiry.
- (2) Updated reports of continuing search efforts from Army units in the field.
- (3) Intelligence reports, to include enemy activity in the area concerned.
- (4) Captured enemy documents.
- (5) Propaganda broadcasts and leaflets.
- (6) Type of terrain and weather conditions of the area.

Any lead which this review uncovers is followed through to insure that all factors are properly considered.

b. Next of kin are advised of the results of the annual review as soon as possible after the Board has made its evaluation. The FSAO will personally deliver a letter relating the findings and reviewing in detail the consideration of the Board.

30. Continuing Review. At any time prior to or after the annual review, should any evidence come to the attention of Casualty Division, DA, that could result in a change of status, the file will be carefully reviewed and an appropriate decision made based upon the facts.

31. Cessation of Hostilities. At the end of hostilities, the status of all missing and captured personnel will be carefully monitored. All returnees will be questioned to develop information as to what they may know as to the status of others. This information, combined with that furnished by the enemy, will resolve some cases. Eventually though, when these and all other sources have been exhausted, the remaining individual cases will be evaluated and a Presumptive Finding of Death will be made where appropriate.

32. Entitlements in event of Presumptive Finding of Death (PFOD). If a presumptive finding of death is made, you should rely heavily on your FSAO to assist you in settling affairs and in resolving the pressing matters which require your personal involvement. DA Pamphlet 608-4, entitled "For Your Guidance," has been prepared to help you under these circumstances. This booklet will be given to you by your assistance officer at that time. It contains a full explanation of all benefits to which you are entitled. Following are short discussions of some of the most important matters with which you will be concerned.

a. Death Certificate. Next of kin are furnished copies of the Official Report of Casualty (DD Form 1300) published by Headquarters, Department of the Army. These reports are used in place of a civil death certificate when proof of death is necessary. The form will be accepted by commercial life insurance companies, and may be used to cash bonds or to settle other civil or financial matters. Additional copies can be obtained through the assistance officer.

b. Pay and Allowances. A member's pay and allowances cease to accrue when a PFOD is made. Final settlement of the member's pay account, including any amount deposited in the savings program (USSDP) and interest on such savings, will be made by the Finance Center, US Army, Indianapolis, Indiana 46269. The Finance Center will forward the necessary claim forms to beneficiaries whom the member designated to receive his unpaid pay and allowances.

c. Six Months' Death Gratuity. In most cases Death Gratuity is paid within 72 hours to the surviving widow. The amount equals one month's base pay plus incentive and special pays, multiplied by six. The assistance officer will deliver payment. A minimum amount of \$800 is payable when 6 months' pay would be less than \$800. Similarly, when 6 months' pay would exceed \$3,000, the amount payable is \$3,000. The pay of the service member is based upon the rank he held on the date that the PFOD was made. If the deceased member was not married, the Death Gratuity will be paid to any surviving children; if none, then it is paid as designated by the member on his DA Form 41, Record of Emergency Data. In these two latter cases, payments will be made by the Finance Center as soon as possible, normally within 60 days.

d. Household Goods. When a presumptive finding of death is made, household goods may be shipped to the member's official residence, or to the residence of his dependent, next of kin, or other person entitled to receive custody of the household goods. This shipment is authorized even though a previous move was made while the member was in a missing status. Entitlement to the shipment will end if the household goods are not turned over to a military transportation office for shipment within one year from the official date of death of the member. The Secretary of the Army or his designated representative may authorize or approve transportation at a later date, if an exception is requested and appropriately justified.

e. Servicemen's Group Life Insurance (SGLI). SGLI Claims are paid by the Office of Servicemen's Group Life Insurance, (OSGLI), 212 Washington Street, Newark, New Jersey 07102. Upon receipt of due proof from the Army that the insured member is no longer alive, OSGLI will pay to the proper beneficiary the amount for which the member was insured. Payment will be made to the member's designated beneficiary surviving at the time of his death; or, if no beneficiary was designated, the proceeds will be paid in the following order of precedence as provided by law:

- (1) To the widow or widower; if none,
- (2) To the child or children in equal shares; if none,
- (3) To the parents in equal shares or all to the surviving parent; if none,
- (4) To a duly appointed executor or administrator of the insured's estate; if none,
- (5) To other next of kin.

The processing time for payment of the insurance proceeds is approximately 30 days. However, in those cases where the amount of insurance payable must be determined by, or coordinated with, the Veterans Administration, processing time may be considerably longer. Questions concerning the insurance are properly referable to OSGLI.

f. Social Security. Social Security monthly benefits are payable to a surviving unremarried widow regardless of age with children of the deceased under age 18 in her care (as well as certain disabled children 18 or over if the disability occurred prior to age 18), children between 18 and 21 if full-time students, and a disabled widow at least 50 years old. Dependent parents are also eligible for benefits at the age of 62 if they were more than 50 percent dependent upon the deceased for their support. Amounts payable in each case can be determined only by the Social Security Administration based upon their record of credits earned during the periods of both military and civilian employment covered under the Social Security program. Your assistance officer will aid you in contacting the nearest Social Security Office.

g. Veterans Administration (VA) benefits.

(1) *Dependency and Indemnity Compensation (DIC).* Of all Government benefits, the DIC will probably be the most important and the primary means of the next of the kin's long-range financial security. This compensation is payable by the

Veterans Administration to unremarried widows, unmarried children under 18 (as well as to helpless children who became permanently incapable of self-support prior to age 18, and those children between 18 and 23 attending a VA approved school). DIC payments are also authorized for certain parents. The rate of payment is determined by the pay grade of the deceased husband, with every widow of a veteran in the same pay grade receiving the same rate. The monthly rate payable to a widow with one or more children of the deceased veteran is increased for each child. The rate payable to parents depends upon how much income they receive from other sources. The assistance officer and the nearest VA office will help in the completion of applications.

(2) *Home loan guaranteed by the VA.* If certain service requirements are met, the unremarried widow of a member who died in service or after separation as a result of a service-connected disability may be eligible for GI home loan benefits. If you plan to obtain a Government-Insured loan, apply to the nearest VA office to determine your eligibility.

(3) *Education.* Dependents' Education Assistance (formerly known as War Orphans Educational Assistance) sponsored by the VA, provides opportunities for education to children between 18 and 26 years of age and the widows of deceased veterans. Under certain conditions, children under age 18 may also be eligible. If the eligible person is of legal age, he may file his own application. If not, the parent or guardian of the child must file an application with a VA office. An eligible person may receive up to 36 months of schooling or the equivalent of 36 months if enrolled part time. Training may be taken in schools and colleges only. In addition to the Dependents' Educational Assistance program, various student-aid programs are available to assist dependent children to reach their educational goals.

h. Emergency financial assistance.

(1) Army Emergency Relief (AER) is an Army sponsored organization dedicated to taking care of members of the Army and their dependents in times of financial stress. AER assistance is immediately available through the AER sections at Army installations throughout the world. Assistance is offered under many types of emergencies and may be extended either as a loan without interest or as a grant. Your assistance officer can obtain the details for you in the event such assistance is needed.

(2) The Army Relief Society, which is affiliated with AER, is organized to give aid to the widows and orphans of

deceased Regular Army personnel. They offer money grants, interest free loans, and scholarships. For more information concerning this Society's benefits, write to Army Relief Society, 30 West 44th Street, New York, New York 10036. Be sure to include the service member's name, grade, Social Security number (and service number if one was issued), length of service, and date of death.

i. Continued Service Privileges. Many services benefits and privileges being received as an eligible dependent will be continued. You will be entitled to medical care at medical facilities of the uniformed services (Army, Navy, Air Force, and Public Health Service), patronize the commissary store, post exchange, and motion picture theaters, wherever the facilities are available and adequate, as long as you remain an eligible dependent.

Section VII. A REMINDER

33. The Army Takes Care of Its Own. We in the Army are aware of the anxiety and mental suffering experienced by families when the fate of a loved one is unknown and will do everything within our power to make the burden easier to bear. Remember, the FSAO is your direct link to your loved one's Service. He is the personal representative of the Secretary of the Army and has access to a vast amount of expert advice for the resolution of any difficulty you may have.

APPENDIX

ADDRESSES FOR CORRESPONDENCE

Thousands of letters have been sent by families of men missing/captured in Vietnam through various channels to Army members thought to be held captive (in the south) but there has been no confirmation that they have been received. Despite this, the Provisional Revolutionary Government (PRG) has indicated they will accept mail for American prisoners. If you wish to send a letter, it should be typewritten or neatly printed. You should not send letters more frequently than once a month, since we do not want to discourage delivery of mail because of the volume of letters received. Envelopes should be unsealed and addressed to the member as follows: grade, name, and Social Security Number. The envelope then should be placed in another envelope addressed to one of the ambassadors representing the PRG at any of the addresses in this paragraph. In this outer envelope, we suggest you enclose a short letter to the point of contact telling of your concern for your loved one and your desire for information about his welfare; and requesting that the ambassador forward your letter to the member. There is no assurance that the mail will be delivered.

a. Possible points of contact in Paris.

Madame NGUYEN THI BINH
49 Avenue Cambaceres
Verrieres—Le Buisson
91 Essonne, France

NHUYEN HU THO
c/o Bureau of Information of National Liberation Front,
South Vietnam
39, Avenue
Georges Mandel
Paris 16th France

b. Embassy addresses of Provisional Revolutionary Government.

U.S.S.R. Ulitza Pushechnaya 5
Moscow, U.S.S.R.

North Vietnam 19 Hai Ba Trung
Hanoi, Democratic Republic of Vietnam

Algeria	33 Rue Luciana, El Bair Algiers, Algeria
Czechoslovakia	U Vorliku 13 Bubenec Prague 6, Czechoslovakia
Bulgaria	1 Mladezhka Street Sofia, Bulgaria
U.A.R.	24 Rue Bahlawi Cairo, United Arab Republic
Hungary	Del-Vietnami Koztarsag Nagykovetsege XIV, Nepstadion UT 111 Budapest, Hungary
Sweden	Republic of South Vietnam's Provisional Revolutionary Government Information Office Byraggaratan 4 Stockholm 111 21, Sweden

Pam 608-34

By Order of the Secretary of the Army:

Official: W. C. WESTMORELAND,
General, United States Army,
Chief of Staff.
VERNE L. BOWERS,
Major General, United States Army,
The Adjutant General.

Distribution:

To be distributed in accordance with DA Form 12-9 requirements for Personal Affairs.

Active Army: A (Qty Rqr Block No. 458).

AFNG: None.

USAR: None.

